

# FILE COPY

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#8

Applicant:

James Chen

Serial No.:

10/091,144

Filed:

March 4, 2002

For:

USE OF PHOTOLUMINESCENT

NANOPARTICLES FOR

PHOTODYNAMIC THERAPY

Art Unit:

1615

Examiner:

Not yet assigned

I hereby certify that this paper and the attached papers are being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents,

U.S. Patent and Trademark Office

P.O. Box 2327

Arlington, VA 22202, on this date.

03/20/03 Date

Kimila Carraway

### REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents U.S. Patent and Trademark Office P.O. Box 2327 Arlington, VA 22202

Sir:

Attached is a copy of the Updated Filing Receipt received from the PTO in the above application for which issuance of a Corrected Filing Receipt is respectfully requested.

Under **DOMESTIC PRIORITY DATA AS CLAIMED BY APPLICANT**, please insert the following CORRECTED Priority Information:

--THIS APPLICATION CLAIMS BENEFIT OF 60/272,877 03/02/2001 AND CLAIMS BENEFIT OF 60/367,359 03/02/2001--

Applicants respectfully request that this error be corrected and Applicant be provided a new Official Filing Receipt.

### U.S.S.N. 10/091,144 James Chen REQUEST FOR CORRECTED FILING RECEIPT

The Commissioner is hereby authorized to charge any fee, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213.

Respectfully submitted, HELLER EHRMAN WHITE & McAULIFFE LLP.

By:

Stephanie√Seidman Registration No. 33,779

SLS:kcc
Attorney Docket 25886-0066B
Address all correspondence to:
HELLER EHRMAN WHITE & McAULIFFE LLP.
4350 La Jolla Village Drive, 7th Floor
San Diego, California 92122-1246
Telephone: (858) 450-8400

Facsimile: (858) 587-5360 E-mail: sseidman@HEWM.com

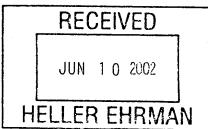


COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 2023

Washington, D.C. 20231 Www.uspfa.gov

APPLICATION NUMBER FILING DATE GRP ART UNIT FIL FEE REC'D ATTY.DOCKET.NO **DRAWINGS TOT CLAIMS** IND CLAIMS 25886-10/091,144 03/04/2002 1615 1824 8 137 11 0066B

Stephanie Seidman Heller Ehrman White & McAuliffe LLP 7th Floor 4350 La Jolla Village Drive San Diego, CA 92122



CONFIRMATION NO. 7692
UPDATED FILING RECEIPT
OC000000008231265\*

Date Mailed: 06/04/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

James Chen, Bellevue, WA:

D mestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/272,877 03/02/2001
AND CLAIMS BENEFIT OF 40/347,359 03/02/2001

Foreign Applications

If Required, Foreign Filing License Granted 04/16/2002

Projected Publication Date: 09/12/2002

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title

Use of photoluminescent nanoparticles for photodynamic therapy

## LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15

### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).